

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**MARTIN GLENN BRIDGES,
#1603573,**

Petitioner,

v.

**DIRECTOR TDCJ-ID, and STATE OF
TEXAS,**

Respondents.

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Civil Action No. 3:16-CV-1054-L

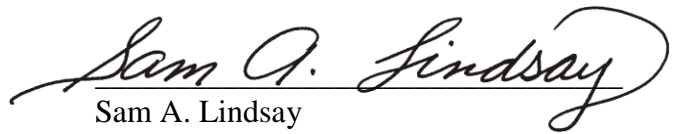
ORDER

Before the court are Petitioner Martin Glenn Bridges’ (“Petitioner”) *pro se* Federal Rule [of] Civil Procedure 60 Motion, filed April 19, 2016, and Motion for Extension of Time (Doc. 5), filed May 16, 2016. The case was referred to Magistrate Judge Renee Harris Toliver for screening, who entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on April 27, 2016, recommending that the court construe Petitioner’s Rule 60b motion as a successive habeas petition and dismiss without prejudice the petition for lack of jurisdiction. Petitioner filed his motion for an extension of time to file objections on May 16, 2016, contending that he received the Report on May 5, 2016, and requesting that the court extend his deadline to June 3, 2016, because of limited access to the law library. Petitioner filed his objections to the Report on May 24, 2016. The court **grants** Petitioner’s motion and will deem his objections as timely filed.

When a petition is deemed successive, the district court lacks subject matter jurisdiction unless a panel of the Fifth Circuit allows the successive petition to proceed. After reviewing the pleadings, file, record in this case, Petitioner’s objections, and Report, the court determines that

the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court.* The court **overrules** Petitioner's objections. Accordingly, the court **directs** the clerk of the court to **transfer** the habeas petition in this case to the Fifth Circuit for determination and **dismisses without prejudice** this action for lack of subject matter jurisdiction.

It is so ordered this 26th day of May, 2016.



Sam A. Lindsay
United States District Judge

* The Report incorrectly states that Petitioner's previous case before the court, *Bridges v. Stephens*, 3:15-CV-3830-L, was pending on April 27, 2016, when the Report was filed. Petitioner's previous case was transferred to the Fifth Circuit for determination and dismissed for lack of jurisdiction on April 20, 2016.